



CRL OP(MD). No.7248 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/05/2024

PRESENT

The Hon`ble Mr.Justice P. VADAMALAI

CRL OP(MD). No.7248 of 2024

Hari @ Haritharan

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Thuraiyur Police Station.
Trichy District.
(Crime No. 224 of 2023).

... Respondent/Complainant

For Petitioner : M/s. Kayvin Prince S.B,
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.224 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324 and 506(2) of IPC,



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in Crime No.224 of 2023, on the file of the respondent police, seeks anticipatory bail.

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2.The case of the prosecution is that the defacto complainant bought a Real Me cell phone, on 05.06.2023, the second accused took away the defacto complainant's cell phone and went to Tirupur and he returned on 15.06.2023. While the defacto complainant questioned about the act of the second accused, on 17.06.2023, all the accused abused the defacto complainant in filthy language, attacked him with wooden stick and criminally intimidated him. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the injured has already been discharged from the hospital.

5.Taking into consideration the facts and circumstances of the case and also the fact that the injured has already been discharged from the hospital, this Court is



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inclined to grant anticipatory bail to the petitioner with certain conditions.

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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thuraiyur, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial.



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[d]the petitioner shall not abscond either during investigation or trial.

[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner is released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
15/05/2024

/ TRUE COPY /

/05/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

1 THE JUDICIAL MAGISTRATE,
THURAIYUR.



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2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE
THURAIYUR POLICE STATION.
TRICHY DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN

CRL OP(MD) No.7248 of 2024

Date :15/05/2024

SS/VR/SAR- /21/05/2024/5P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023